

**VERSION WITH MARKINGS TO SHOW CHANGES MADE:**

**IN THE CLAIMS:**

Claim 1 has been canceled.

The following claims have been amended as follows:

2. (Amended) The rotary device of claim 4 4, wherein the base plate has a substantially H-shaped configuration defining a lateral leg placed on the machine bed.
3. (Amended) The rotary device of claim 4 4, wherein base plate has a center of gravity, said rotation axis extending through the center of gravity of the base plate.
4. (Amended) A The rotary device of claim 4 for a horizontal injection molding machine, and further comprising a base plate supported on a machine bed of a horizontal injection molding machine; a rotary table<sup>22</sup> supported on the base plate for rotation about a vertical rotation axis, drive means<sup>21</sup> for rotating the rotary table and guide means selected from the group consisting of linear guide and slideways for slideably supporting the base plate.
5. (Amended) A The rotary device of claim 4 for a horizontal injection molding machine, comprising a base plate supported on a machine bed of a horizontal injection molding machine; a rotary table supported on the base

plate for rotation about a vertical rotation axis, and drive means for rotating the rotary table, wherein the base plate is disposed between confronting mold mounting plates of a mold of the injection molding machine, and so sized as to be spaced from the mold mounting plates ~~at a small distance~~, when the mold is closed.

6. (Amended) A ~~The~~ rotary device of claim 4 for a horizontal injection molding machine, comprising a base plate supported on a machine bed of a horizontal injection molding machine; a rotary table supported on the base plate for rotation about a vertical rotation axis, and drive means for rotating the rotary table, wherein the base plate is disposed between confronting mold mounting plates of a mold of the injection molding machine, and so sized as to project underneath the mold mounting plates into an area outside of the mold mounting plates, when the mold is closed.
7. (Amended) A ~~The~~ rotary device of claim 4 for a horizontal injection molding machine, comprising a base plate supported on a machine bed of a horizontal injection molding machine; a rotary table supported on the base plate for rotation about a vertical rotation axis, and drive means for rotating the rotary table, wherein the base plate is disposed between confronting mold mounting plates of a mold of the injection molding machine, and further comprising shifting means, connecting the base plate to the mold mounting

plates, for displacing the base plate in a longitudinal direction, said shifting means including a member selected from the group consisting of a rack, a spindles, a steep-threaded spindle, and a hydraulic cylinder.

8. (Amended) A ~~The~~ rotary device of claim 4 for a horizontal injection molding machine, and further comprising a base plate supported on a machine bed of a horizontal injection molding machine; a rotary table supported on the base plate for rotation about a vertical rotation axis, drive means for rotating the rotary table; and guide means selected from the group consisting of linear guide and slideways for so supporting the base plate upon the machine bed as to prevent tilting.
9. (Amended) A ~~The~~ rotary device of claim 4 for a horizontal injection molding machine, comprising a base plate supported on a machine bed of a horizontal injection molding machine; a rotary table supported on the base plate for rotation about a vertical rotation axis, and drive means for rotating the rotary table, wherein the drive means includes a ring gear mounted to the rotary table and a motor, selected from the group consisting of electric motor and hydraulic motor, for driving a gear in mesh with the ring gear on the rotary table.

10. (Amended) A ~~The~~ rotary device of claim 9 for a horizontal injection molding machine, comprising a base plate supported on a machine bed of a horizontal injection molding machine; a rotary table supported on the base plate for rotation about a vertical rotation axis, and drive means for rotating the rotary table, wherein the drive means includes a pivot pin extending downwards from the rotary table and projecting through the base plate.
17. (Amended) The horizontal injection molding machine of claim 12, wherein the base plate has a substantially H-shaped configuration defining parallel legs interconnected by a crosspiece, said crosspiece and said rotary table being so configured that a molded article is able to drop downwards into a free space between the legs of the base plate.
28. (Amended) A ~~The~~ horizontal injection molding machine of claim 12, comprising:  
a machine bed defining a longitudinal axis;  
a first mold mounting plate fixedly secured onto the machine bed and carrying a mold portion;  
a second mold mounting plate adapted for traveling relative to the first mold mounting plate and carrying a mold portion;  
a rotary device arranged between the first and second mold mounting plates and including a base plate, a rotary table supported on the base plate for rotation about a vertical axis, and drive means for rotating the rotary table;

shifting means for displacing the rotary device in a direction parallel to the longitudinal axis; and

different guides for guiding the base plate and the ~~first and~~ second mold mounting plates plate.

**IN THE DRAWING:**

FIG. 1 has been amended as per copy enclosed and indicated in red.

## REMARKS

The last Office Action of July 17, 2002 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1 to 28 are pending in the application. Claims 2-10, 17 and 28 have been amended. Claim 1 has been canceled. The claim surcharge of \$504.00 for submitting six independent claims in excess of three is enclosed. Enclosed is also a marked-up version of the changes made to the specification and claims by the current amendment. The enclosed page is captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE"**.

It is noted that claims 5, 10, 11 and 17 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is noted that the specification is objected to as failing to provide proper antecedent basis for the claimed subject matter of claim 23.

Claims 1 and 3 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 4,307,057 (hereinafter "Hettinga").

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hettinga. Please note that applicant assumed that the rejection under 35 U.S.C. §103(a) relates to claim 2, rather than claim 1, as the H-shaped configuration of the base plate is the subject matter of claim 2.

It is noted with appreciation that claims 4, 6-9 are indicated allowable if

rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

It is noted with appreciation that claim 17 is indicated allowable if rewritten in independent form to overcome the rejection under 35 U.S.C. §112.

It is noted with appreciation that claims 5, 10 and 11 are indicated allowable if rewritten in independent form to overcome the rejection under 35 U.S.C. §112 and to include all of the limitations of the base claim and any intervening claims.

It is noted with appreciation that claims 12-16, 18-28 are allowed.

#### **REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH**

Applicant has amended original claims 5, 10, 11 and 17, as suggested by the Examiner. These changes are cosmetic in nature and do not narrow the claim element involved to trigger prosecution history estoppel.

Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is thus respectfully requested.

#### **OBJECTION TO THE SPECIFICATION**

Applicant has amended the specification to include the subject matter of claims 22 and 23. Fig. 1 has been amended to make it consistent with the change to the specification. No new matter has been added.

Withdrawal of the objection to the specification is thus respectfully requested.

**REJECTION UNDER 35 U.S.C. §102(b) AND 35 U.S.C. §103(a)**

Applicant has canceled original claim 1 in favor of claims 4 to 10, as suggested by the Examiner, who indicated that originally filed claims 4 to 10 would be allowable if rewritten in independent form. It is therefore applicant's belief that claim 4 to 10 have not been narrowed to trigger prosecution history estoppel.

In addition, applicant has rewritten claim 28 in independent form for the following reasons: Claim 12, as allowed, sets forth that the first mold mounting plate is fixedly secured onto the machine bed. The subject matter of claim 28 relates to the provision of different guides for guiding i.a. the first mold mounting plate. This is in contradiction to the subject matter of claim 12 and in fact incorrect. Therefore, claim 28 has been rewritten in independent form by substantially including the subject matter of claim 12 and by setting forth different guides for the base plate and the second mold mounting plate, only. In addition, unlike in claim 12, claim 28, as now on file, claims the rotary device without a reference of a support of the base plate on the machine bed, although the support on the machine bed is a currently preferred embodiment.

Withdrawal of the rejection under 35 U.S.C. §102(b) and 35 U.S.C. 103(a) is thus respectfully requested.

## CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Applicant further submits a certified copy of the priority document under 35 U.S.C. §119(a)-(d).

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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